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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 JOHN MICHAEL BALE,

11 Petitioner,

12 v.

13 DONALD HOLBROOK,

14 Respondent.

CASE NO. 3:17-cv-05188-RBL-JRC

ORDER ADOPTING REPORT AND
RECOMMENDATION

15 The Court, having reviewed the Report and Recommendation of Magistrate Judge J.
16 Richard Creatura, objections to the Report and Recommendation, if any, and the remaining
17 record, does hereby find and **ORDER:**

- 18 (1) The Court adopts the Report and Recommendation.
19 (2) Petitioner's habeas petition is DENIED as to grounds 9, 13, 15, 17, and 21.
20 (3) Petitioner's ground 16 for habeas relief is DISMISSED as moot.
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4) Petitioner's remaining grounds are DISMISSED with prejudice as unexhausted and procedurally defaulted.

DATED this 28th day of November, 2017.

Ronald B. Lightner

Ronald B. Leighton
United States District Judge